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Case Identifier: **CGB-CC-0413**

FCC Mail Room

Supplement to Update Our Current Pending Application seeking a Waiver for Exemption from Closed Captioning Rules

Kellogg Street Productions

30 Kellogg Street
Clinton, NY 13323

Program: **Mohawk Valley Living** (www.mohawkvalleyliving.com)

Broadcasted on WKTU, Channel 2 in Utica, NY

Airs every Sunday at 7:30am, encore at 11:35pm

Started in April of 2005

Mohawk Valley Living is a program that explores the many small communities in the Utica area. We visit a town, talk to historians, interview business owners, artists, farms and churches. We always get comments like: *"I've lived here all my life and yet learned so much by watching your TV show!"*

Overview:

My name is Lance Whitney. My wife and I produce Mohawk Valley Living from a small office in our home. We have no employees and do everything ourselves. Our equipment consists of a camera and 2 desktop computers. All our equipment has a value of \$3,000 total.

Lance Whitney- I do all the filming and sound, all the final editing, music, graphics.

Sharry Whitney- My wife does all the producing, does all the interviews, voice-overs, and she handles getting the advertisers, producing their ads as well as bookkeeping.

Currently, we have no other source of income other than the show. I've had a part-time computer tech job since 2001, but was laid off in April of 2012. The only other sources of income are the 2 children's books I wrote last year, but royalties are not much more than \$100-200 a month.

We don't make much money producing this show, it is more something we feel is important to our local community, it makes people proud to live where they do, to be proud of our past and our future.

We found out how much it meant to people when we took it off the air last year for several months. We were just burned out after 6 years with no money. But it was the number of letters and comments from the community that led us to bring it back in December of 2011.

As you will see in this document, Close Captioning has always been something we wanted to do, but the cost to air the program is barely paid by our advertisers. This year we did look into grants from the state but could find none that were applicable.

As an alternative to Closed Captioning I propose the FCC allow us to provide a written transcript of the entire show available in PDF form on our website before the show airs Sunday morning. My wife and I have already been experimenting with different ways to prepare a transcript of the show.

Profit & Loss Statement

This info may be placed publicly for review.

March 1, 2012 - May 31, 2012

INCOME

| | |
|-------------------|-----------|
| Book royalties | 205.51 |
| Advertising Sales | 19,565.74 |

EXPENSES

| | |
|------------------------|----------|
| WKTV Channel 2 Airtime | 6,630.00 |
| Shipping/Postage | 99.97 |
| Online Web Fees | 118.95 |
| Advertising | 209.07 |
| Travel | 353.51 |
| Phone/Internet/Cell | 636.88 |
| Lance Whitney Pay | 5,358.00 |
| Sharry Whitney Pay | 5,358.00 |

As you can see, Sharry and I only make about \$10 each an hour working full time producing this show every week.

Costs of Captioning Mohawk Valley Living

All the quotes we have received have all been between **\$200-\$250/week** to close caption our 1/2 hour show. These quotes have not changed much since we applied in 2005.

This adds up to about \$900-\$1,250 per month in extra expense, which would be about 15-20% of our expenses.

Since 2005 I have researched extensively the possibility of doing the captioning ourselves. Though I have found some that will allow us to caption our show for web delivery, I have not been able to find software that will work for a broadcast quality video. The closest is CCaption, which is very popular. I have tried a demo version, but it doesn't quite work with my equipment, it only really works when putting the show on tape, which we don't do because the station doesn't accept videotapes anymore and the cost is over \$6,000.

Personally, I have found all of this frustrating. For example: I currently have video editing software that costs only \$400 and allows me to do all kinds of Hollywood effects, BUT I can't find affordable software that would allow me to embed some simple text. It is very frustrating. I assumed back in 2005 that there would be something available by now.

We have asked our Video Programming Distributor for Assistance

I have spoken with **WKTV, Channel 2** in Utica, NY in regards to Close Captioning our show. Though they won't donate the captioning, they did give us a quote of around \$200 per week/show. This is the same rate as most other companies.

We have asked our largest sponsor for assistance

Though we do have many sponsors, they are all small mom and pop stores and pay \$20-25 for a commercial in our show.

We get most of our funds from our biggest sponsor: **Skinner & Damulis Car Dealership** in Richfield Springs, NY.

Currently, we get about \$1400 per month from Skinner & Damulis. They have made it clear that an additional \$1200 for captioning would be out of their budget. They are a small dealership that have had tough times like most dealers. They support our show mostly because they believe in what we do. We have tried for years to get the attention of bigger advertisers and their agencies, but since we are not considered a news program the agencies don't really consider us.

Other Factors That May Be Relevant to our Waiver Application

We film a new show every week on Wednesday to air on Sunday. Sometimes up to 70% of the show is dated and can not be aired again. This helps keep the show fresh, and since the weather changes here drastically from week to week we like the show to reflect the current weather conditions.

Closed Captioning would force us to work a week or more in advance which would affect the feel of the show and would prevent us from making comments related to current events happening in our community.

Proposed Alternative to Captioning

I would like to propose that the FCC allow us to provide a transcript of the show available in PDF format on our website that can be easily downloaded before the show begins Sunday morning.

Summary

The addition of \$1000-\$1200 in Closed Captioning expenses would prevent the show from going on. We have tried over and over to get the funds to caption. Keeping our show full of advertisers is very hard. Our market is very small and a bit depressed. I think that's one of the reasons why our show is so popular.

I invite you to watch our show from our website at: mohawkvalleyliving.com. We are very proud of what we have accomplished and the impact it has made on the local community.

Thank You,


Lance Whitney
6/28/2012

*Sworn to before me this
28th day of June, 2012*

Richard D Enders

Richard D. Enders
Notary Public, N.Y. State
Qualified in Oneida County
Reg. No. 02EN4755050
My Commission Expires:

4/30/2015